

ENROLLED ORDINANCE 172-040

COMPREHENSIVE ZONING MAP AMENDMENTS
TO THE TOWN OF LISBON DISTRICT ZONING MAP
(ZT-1701D)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on August 14, 2017; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Comprehensive Zoning Map amendments to the Town of Lisbon Zoning Map, adopted on April 9, 2010, more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference ZT-1701D, is hereby approved.

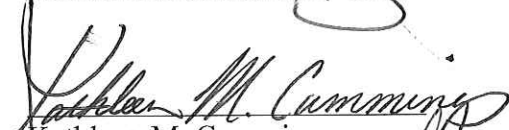
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.


COMPREHENSIVE ZONING MAP AMENDMENTS TO THE TOWN OF LISBON
DISTRICT ZONING MAP (ZT-1701D)

Presented by:
Land Use, Parks, and Environment Committee

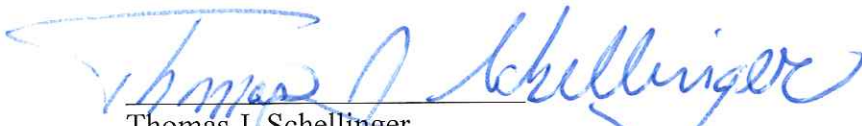

David D. Zimmermann, Chair

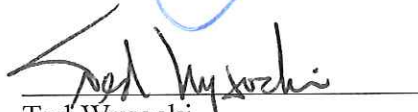

Kathleen M. Cummings


Keith Hammitt



Robert L. Kolb


William Mitchell


Thomas J. Schellinger


Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 10/24/17, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

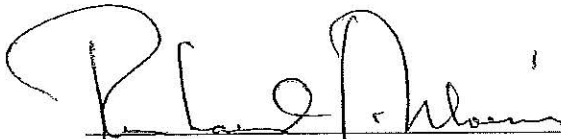
Date: 10/30/17, 
Paul Farrow, County Executive

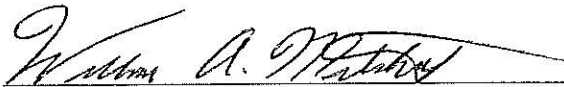
COMMISSION ACTION

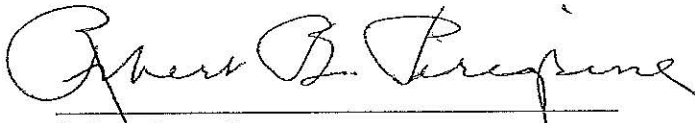
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code, hereby recommends **approval** of (ZT-1701D Town of Lisbon Board – Map Amendments) in accordance with the attached “Staff Report and Recommendation”.

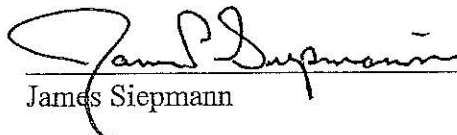
PARK AND PLANNING COMMISSION

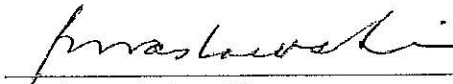
September 21, 2017


Richard Morris, Chairperson


William Mitchell


Robert Peregrine


James Siepmann


William Maslowski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

FILE NO.: ZT-1701D

TAX KEY NOS.: Multiple (comprehensive update)

DATE: September 21, 2017

PETITIONER: Town of Lisbon Board of Supervisors
Lisbon Town Hall
W234 N8676 Woodside Road
Lisbon, WI 53089

REQUEST:

Zoning map updates to incorporate the most current, available natural resource data such as floodplains, flood studies, corridors, wetlands, shoreland boundaries, navigable waters, etc.

LOCATION:

These comprehensive zoning map amendments involve multiple parcels in the Town of Lisbon.

PUBLIC HEARING DATE: May 4, 2017.

PUBLIC REACTION: None.

TOWN PLAN COMMISSION ACTION:

On May 4, 2017, the Town of Lisbon Plan Commission unanimously approved the proposed map amendments to the Town of Lisbon Zoning Map and recommended the same to the Town Board.

TOWN BOARD ACTION:

On May 8, 2017, the Town of Lisbon Board of Supervisors unanimously approved the proposed map amendments to the Town of Lisbon Zoning Map as recommended by the Plan Commission. Ordinance 14-17 was adopted on August 14, 2017.

COMPLIANCE WITH THE TOWN OF LISBON AND WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLANS:

The amendments proposed are being made to continue to recognize existing uses and to incorporate the most current, available environmental and natural resource inventory data in compliance with the both the Town and County plans.

STAFF ANALYSIS:

In conjunction with the recent modernization of the County's own zoning maps, Waukesha County has been revising all of the Town zoning maps they are responsible for maintaining due to the number of updated environmental and natural resource inventory layers acquired in recent months. Therefore, numerous minor zoning amendments have been made to the Town of Lisbon's Zoning Map to reflect these various inventory updates. New floodplain data for the Rock River basin prompted the County's parallel updates and prompted this Town map update.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** as recommended by the Town. We feel the map, as approved by the Town, is appropriate and consistent with the Town's Comprehensive Development Plan, which calls for zoning flood lands and low lands to protective categories to ensure protection from flooding during storm events. The modernized map will precisely match the County Shoreland map for the Town of Lisbon.

Respectfully submitted,

Sandy Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance No. 14-17

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ORDINANCE NO. 14-17

**AN ORDINANCE TO MAKE COMPREHENSIVE AMENDMENTS TO
THE OFFICIAL ZONING MAP OF
THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

The Town Board of the Town of Lisbon does ordain as follows:

1-1. Adoption of Zoning Map.

Pursuant to Wis. Stat. § 66.0103, the Ordinances of the Town of Lisbon of a general and permanent nature adopted by the Town Board of the Town of Lisbon, and consisting of Chapter 11 of the General Code of Ordinances, Zoning Ordinance, first adopted on July 14, 1958, of which the Zoning Map is hereby approved, adopted, ordained and enacted pursuant to Section 35 of the Town of Lisbon Zoning Ordinance, as the "Official Zoning Map of the Town of Lisbon, Wisconsin", hereinafter referred to as the "Zoning Map".

1-2. Zoning Map supersedes prior maps.

This Ordinance pertaining to the Zoning Map shall supersede all other related permanent Zoning Maps enacted prior to the enactment of this Zoning Map, except such Ordinances as may be hereinafter expressly saved from repeal or continued in force.

1-3. Continuation of existing Zoning Map.

The amendments to the Zoning Map, insofar as they are substantively the same as those of the Zoning Map in force immediately prior to the enactment of the Zoning Map by this Ordinance, are intended as a continuation of such Zoning Map, but the effectiveness of such map amendments shall date from the date of adoption of the new Zoning Map.

1-4. Copy of Zoning Map on file.

A copy of the Zoning Map, in hard copy and electronic form, has been filed in the office of the Town Clerk and has remained there for use and inspection by the public for not less than two (2) weeks prior to the adoption of this Ordinance as required by Wis. Stat. § 66.0103. Upon adoption of this Ordinance, the copy of the Map on file with the Town Clerk shall be certified to by the Town Clerk, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Zoning Map is in effect.

1-5. Amendments to Zoning Map.

Any and all additions, deletions, amendments or supplements to the Zoning Map, when adopted by Ordinance so as to indicate the intention of the Town Board to make them a part thereof, shall be deemed to be incorporated into such Zoning Map so that reference to the "Official Zoning Map of the Town of Lisbon, Wisconsin" shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Zoning Map shall be adopted, they shall thereafter be updated on the Zoning Map by the entity authorized and directed by the Town Clerk for updating the Zoning Map and, as provided hereunder, a hard copy and an electronic copy provided to the Town Clerk as amendments and supplements thereto.

1-6. Publication; filing.

The Clerk of the Town of Lisbon, pursuant to law, shall cause to be published, in the manner required by law, a copy of this Ordinance in lieu of publication of the Zoning Map as provided for in Wis. Stat. § 66.0103. A hard copy of the Zoning Map shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours, and an electronic copy shall be maintained on the Town of Lisbon website. The enactment and publication of this Ordinance, coupled with the availability of a copy of the Zoning Map for inspection by the public, shall be deemed, held and considered to be due and legal publication of all amendments of the Zoning Map for all purposes.

1-7. Zoning Map to be kept up-to-date.

It shall be the duty of the Town Clerk, or the entity authorized and directed by the Town Clerk, to keep up-to-date the official certified copy of the Zoning Map required to be filed in the Town Clerk's office for use by the public. All changes to said Zoning Map and all Ordinances adopted subsequent to the effective date of this version of the Zoning Map, which shall be adopted specifically as part of the Zoning Map shall, when adopted by Ordinance, be included therein by reference until such map amendments are printed as a new Zoning Map, at which time such map amendments shall be inserted therein.

1-8. Sale of Zoning Maps.

Copies of the Zoning Map may be purchased from the current entity authorized and directed to update the Zoning Map.

1-9. Altering or tampering with the Zoning Map; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Zoning Map or to alter or tamper with such Zoning Map in any manner whatsoever which will cause the law of the Town of Lisbon to be misrepresented thereby. This Zoning Map may only be amended by the Town Clerk, or the entity authorized and directed by the Town Clerk, upon direction and approval by the Town Board as authorized by Section 35 of the Town of Lisbon Zoning Ordinance.

1-10. Severability.

Each and every part of the Zoning Map is an independent part, and the holding of any part of the Zoning Map to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other part of the Zoning Map.

1-11. Repeal.

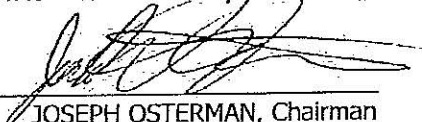
All Zoning Maps previously adopted or amended and in force on the date of the adoption of this Ordinance and not part of this Zoning Map are hereby repealed as of the effective date of this Ordinance.

1-12. Effective Date.

This ordinance shall take effect upon passage and publication as required by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 14th day of August, 2017.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman


BY: 
TEDIA GAMINO, Supervisor

BY: 
MARC MOONEN, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
Gina Gresch, MMC/WCPC
Town Clerk

D1 - Kolb	AYE	D14 - Wood	AYE
D2 - Zimmermann	(M) AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Zaborowski	AYE
D9 - Heinrich	AYE	D22 - Wysocki	Notified
D10 - Swan	AYE	D23 - Hammitt	Notified
D11 - Howard	AYE	D24 - Whittow	(2) AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		
172-0-040	Passed (23 Y - 0 N - 2 Absent)	Majority Vote	>